

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK


| | | |
|--|---|---------------------|
| -----X | : | |
| JUSTIN VALENCIA, <i>on behalf of himself and</i> | : | |
| <i>all others similarly situated,</i> | : | |
| | : | |
| Plaintiff, | : | 25-CV-1459 (VSB) |
| | : | |
| -against- | : | <u>ORDER</u> |
| | : | |
| RICHER POORER, LLC, | : | |
| | : | |
| Defendant. | : | |
| -----X | : | |

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on February 20, 2025, (Doc. 1), and filed an affidavit of service on March 28, 2025, (Doc. 5). The deadline for Defendant to respond to the complaint was April 9, 2025. To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment, he is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than April 30, 2025. If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: April 16, 2025
New York, New York


VERNON S. BRODERICK
United States District Judge